

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STARLET STENSON,

Plaintiff,

v.

SAFEWAY, INC.,

Defendant.

Case No.: 3:22-cv-01205-YY

ORDER

Adrienne Nelson, District Judge


United States Magistrate Judge Youlee Yim You issued Findings and Recommendation in this case on August 16, 2023. Judge You recommended that this Court dismiss this case with prejudice for failure to prosecute. No party has filed objections.

A district court judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). If any party files objections to a magistrate judge's proposed findings and recommendations, "the court shall make a de novo determination of those portions of the report." *Id.* If no objections are filed, then no standard of review applies. However, further review by the district court *sua sponte* is not prohibited. *Thomas v. Arn*, 474 U.S. 140, 154 (1985). The Advisory Committee notes to Federal Rule of Civil Procedure 72(b) recommend that unobjected to proposed findings and recommendations be reviewed for "clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment.

Because no party in this case has made objections, this Court reviews Judge You's Findings and Recommendation for clear error on the face of the record. Finding no such error, the Court ADOPTS Judge You's Findings and Recommendation, ECF [27]. This case is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 11th day of September, 2023.

A handwritten signature in blue ink, reading "Adrienne Nelson", is written over a horizontal line.

Adrienne Nelson
United States District Judge